

STATE OF INDIANA            )  
                                  ) SS:  
COUNTY OF MARION        ) CAUSE NO. 49D04-0702-PL-004337

STATE OF INDIANA,            )  
                                  )  
          Plaintiff,            )  
                                  )  
          v.                    )  
                                  )  
GRACE MARK and            )  
JASON M. MARK, individually and )  
doing business as, Mark Motors, )  
                                  )  
          Defendants.         )

**FILED**

FEB 21 2008

(82)

*Elizabeth L. White*  
CLERK OF THE MARION CIRCUIT COURT

**DEFAULT JUDGMENT**  
**AS TO DEFENDANT JASON M. MARK ONLY**

The Plaintiff, State of Indiana, having filed its Motion for Default Judgment against Defendant Jason M. Mark, individually and doing business as, Mark Motors, and the Court having read the same and being duly advised in the premises, now finds:

1. The Court has subject matter jurisdiction and personal jurisdiction over the Defendant.
2. The State served Defendant Jason M. Mark with notice of these proceedings by amended complaint and summons on December 27, 2007.
3. More than 20 days have elapsed since Defendant Jason M. Mark was served with notice of these proceedings.
4. Defendant Jason M. Mark has failed to file an answer, plead or otherwise request an extension of time in which to answer the Plaintiff's Amended Complaint.
5. Defendant, Jason M. Mark, is not an infant, incompetent, or in military service.

**THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED** that the Motion for Default Judgment is **GRANTED** in favor of the Plaintiff, State of Indiana, and against the Defendant, Jason M. Mark. The Defendant, his agents, representatives, employees, successors, and assigns are permanently enjoined from:

- (a) selling motor vehicles without delivering vehicle titles as required by Ind. Code §9-17-3-3;
- (b) misrepresenting warranty of title in violation of Ind. Code §24-5-0.5-3(a) (8); and,
- (c) misrepresenting his ability to deliver vehicle titles within a stated or reasonable period of time in violation of Ind. Code §24-5-0.5-3(a) (10).

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that judgment is **GRANTED** in favor of the Plaintiff, State of Indiana, and against the Defendant, Jason M. Mark, individually and doing business as, Mark Motors as follows:

- a. Costs pursuant to Ind. Code §24-5-0.5-4(c) (3), awarding the Office of the Attorney General its reasonable expenses incurred in the investigation and prosecution of this action in the amount of \$915.00;
- b. Civil penalties pursuant to Ind. Code §24-5-0.5-4(g) on Count I of the Plaintiff's complaint, for the Defendant's knowing violations of Ind. Code §24-5-0.5-3(a) (8); (a) (10) and Ind. Code §9-17-3-3, in the amount \$5,000.00 per violation for violations on or after July 1, 2005 and \$500.00 per violation for transactions occurring prior to July 1, 2005, in the total amount of \$15,500.00, payable to the State of Indiana;

- c. Civil penalties pursuant to Ind. Code §24-5-0.5-8 on Count III of the Plaintiff's complaint, for the Defendant's intentional violations of Ind. Code §24-5-0.5-3(a) (8); (a) (10) and Ind. Code §9-17-3-3, in the amount of \$500.00 per violation in the total amount of \$2,000.00, payable to the State of Indiana; and,
- d. All other proper relief.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the Indiana Bureau of Motor Vehicles is directed to issue titles for the following vehicles to the identified consumers, as follows:

**CONSUMER**

**VEHICLE ID**

- 1) 1997 Ford Contour, 1FALP6531VK131549, owner:

Melissa Thompson

- 2) 1996 Mitsubishi Eclipse, 4A3AK34Y9TE351896, owner:

Juan Rojas

- 3) 1995 Ford Taurus, 1FALP52U4SA157930, owner:

Linda Hurd

- 4) 1995 Chevrolet Cavalier, 1G1JC1244S7131310, owner

Charlotte Harp

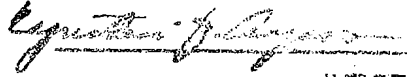
For a total monetary judgment in the amount of \$18,415.00 in favor of the  
Plaintiff, State of Indiana against the Defendant Jason M. Mark.

**ALL ORDERED, ADJUDGED AND DECREED** on this \_\_\_\_\_ day of  
FEB 21 2008, 2008.

**RECOMMENDED FOR APPROVAL**  
  
\_\_\_\_\_  
Judge, Marion Superior Court 4  
Civil Division **MASTER COMMISSIONER**  
**APPROVED AND ORDERED**

**DISTRIBUTION:**

Mary Ann WehmueLLer  
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\_\_\_\_\_  
JUDGE